

EXHIBIT E

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL) MDL No. 2804
5 PRESCRIPTION OPIATE)
6 LITIGATION,) Case No.
7) 1:17-MD-2804
8)
9 THIS DOCUMENT RELATES TO) Hon. Dan A.
10 ALL CASES) Polster
11)
12)
13)
14)
15)

16 _____
17 Wednesday, January 23, 2019
18 _____
19

20 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
21 CONFIDENTIALITY REVIEW
22 _____
23

24 Videotaped Deposition of SUSANNE
25 HILAND, held at 4206 South J.B. Hunt Drive,
Rogers, Arkansas, commencing at 8:25 a.m., on
the above date, before Debra A. Dibble,
Certified Court Reporter, Registered
Diplomate Reporter, Certified Realtime
Captioner, Certified Realtime Reporter and
Notary Public.

26 _____
27 GOLKOW LITIGATION SERVICES
28 877.370.3377 ph | fax 917.591.5672
29 deps@golkow.com
30

1 reporter today is Debbie Dibble and
2 she will now please swear in the
3 witness.

4 SUSANNE HILAND,
5 having first been duly sworn, was examined
6 and testified as follows:

7 DIRECT EXAMINATION

8 BY MR. INNES:

9 Q. Good morning, Ms. Hiland. My
10 name is Michael Innes. We met yesterday,
11 where you sat as a corporate designee for
12 Walmart and provided testimony.

13 Some of the questions I'm going
14 to ask you up front might sound redundant as
15 to the questions you were asked yesterday,
16 but I want to have a complete record. So
17 I'll preface all of my questions with -- with
18 that.

19 You do understand you're under
20 oath today; right?

21 A. Yes.

22 Q. And you might have to speak up
23 for the folks to hear on the phone. I know
24 yesterday there were some complaints after
25 that it was difficult to hear all of us in

1 Mike. You did misread that. Do you
2 want to read that again?

3 Q. (BY MR. INNES) Okay. The
4 email states, "Tim, since we are just
5 beginning the process again, we don't have
6 any specific concerns yet. The reapplication
7 process was clearly more detailed than last
8 time, and we've heard some issues that others
9 have had that would potentially be problems
10 for us."

11 The email continues, but I want
12 to focus on those first two sentences.

13 What process are you beginning
14 again?

15 A. The recertification of our
16 distribution center for the VAWD
17 certification.

18 Q. And what is the -- which
19 distribution center in particular?

20 A. I believe at this time, this
21 was recertification, so all of them?

22 I -- I'd have to check their
23 certification dates, but all of our
24 distribution centers were VAWD certified. I
25 just don't know what their original

1 certification dates were.

2 Q. Okay. I mean, at this time,
3 can we agree that the 6045 was VAWD
4 certified?

5 A. Yes.

6 Q. Were you involved in the prior
7 application process?

8 A. Yes.

9 Q. Okay. And you say that the
10 reapplication process, the process you're
11 going through at this point in time, was
12 clearly more detailed than the last time.

13 What was the basis for that
14 statement?

15 A. We, by this time, would have
16 had the -- there was an application process,
17 or there were documents that were required
18 with the certification, recertification of
19 our distribution centers. And the -- to
20 my -- to my recollection, the information
21 that was asked for in that recertification
22 was more expansive than -- it included new
23 information, new requirements, than were
24 applied to the previous certification
25 process.

1 the reapplication process?

2 A. I don't recall the specifics,
3 but I -- I know we prepared materials, so it
4 would follow that there was an on-site
5 inspection. I don't recall the specifics of
6 who or how many.

7 Q. And the facility that was
8 inspected, is that referring to 6045?

9 MS. TABACCHI: Object to the
10 form.

11 THE WITNESS: That would be any
12 of the -- any of the distribution
13 centers that went through the
14 reaccreditation process.

15 Q. (BY MR. INNES) Okay. And then
16 your prior testimony is that all of the
17 distribution centers went through the
18 reaccreditation process?

19 A. Yes.

20 Q. So is it fair to say that if
21 they all went through them, and there were
22 inspections of all of them, 6045 was in fact
23 inspected?

24 A. Yes.

25 Q. Further on in your email you

1 Walmart doesn't set off any flags that it
2 might not be capable of accreditation with
3 VAWD. Is that right?

4 MS. TABACCHI: Object to the
5 form.

6 THE WITNESS: That's not what I
7 mean by that.

8 Q. (BY MR. INNES) Did you come to
9 learn what VAWD would consider to be
10 acceptable programs?

11 A. Our pharmacy -- our
12 distribution centers were reaccredited. So
13 we would have met the criteria required by
14 the VAWD certification. At no time in this
15 process were we unaccredited. The point of
16 this was to make sure that we were prepared
17 and had as much information as possible to
18 prepare for that recertification process.

19 Q. How long did that
20 recertification process take?

21 A. I think in this case there
22 was -- I think there were some delays as
23 we -- again, because there were additional
24 documentation requirements. I don't remember
25 specifically what those were. I think it was

1 a longer recertification process in this time
2 frame.

3 Q. What do you mean by
4 "documentation requirements"?

5 A. So documenting practices in --
6 in a policy that could be reflected and
7 inspected by the VAWD inspector.

8 Q. Okay. So at the time of the
9 reapplication process, did Walmart have its
10 practices documented in a policy that could
11 be reviewed by the VAWD inspector?

12 MS. TABACCHI: Object to the
13 form.

14 THE WITNESS: As I recall,
15 there were -- there were written
16 policies memorialized around practices
17 that we had in place in this time
18 frame as a result -- to meet those
19 recertification -- those new
20 recertification requirements.

21 MS. TABACCHI: Mike, before you
22 get to another document, can we take
23 another quick break?

24 I just don't want to get -- I
25 want to catch you before you start